

insurance and have to have flood insurance in Louisiana—in part because the mortgage company requires it—are going to see their rates go up.

The likely average full-risk premium for a home in Louisiana under this new secret sauce is \$1,700. Under the old system, it was \$766. That is a 122-percent increase because of this algorithm, this secret sauce, which FEMA will not let us see.

My people can't afford this. And the reality is, people are already dropping flood insurance. They are saying: We just can't pay for it. Something has to give. We have inflation at 8 percent or my rent has gone up. Food has gone up. Gas has gone up. We just can't afford it.

The number of flood insurance policies in eight of my parishes—we call our counties parishes—in eight of my parishes or counties, the number of policies has dropped from 290,000 in October 2021 to 267,000 in November of 2022, and it has fallen.

So that is 22,000 people—almost 23,000—out of only 8 parishes or counties who have had to give up their flood insurance.

Now, it is not just Louisiana, Mr. President. You may be having the problem in California.

The Associated Press estimates that 1 million fewer Americans will be able to afford to buy flood insurance by the end of the decade because of Risk Rating 2.0, their algorithm, their secret sauce. And E&E News has identified 425,000 policyholders across the country who have already discontinued coverage.

What does that mean for each State? Well, for example, cancellations of flood insurance because they can't afford it. Eleven percent of the people of California who were buying flood insurance can't afford it anymore, they have dropped it; 11 percent of the policyholders in Texas; 9.6 percent in Florida; in Virginia, North Carolina, Georgia, and South Carolina, 8 percent.

Now, this is a disaster waiting to happen. And I am all for a fair system, but I will tell you what I am not for. I am not for having a Federal Agency, without consulting the U.S. Congress, without talking to you, Mr. President, about your policyholders in California or me in Louisiana, without explaining to us how they are doing it, just unilaterally raising prices with an algorithm or their secret sauce, as I call it.

Now, Senators CASSIDY and GILLIBRAND and I have introduced a bill. It is called the Flood Insurance Pricing Transparency Act. It is a bipartisan bill. All we are asking that FEMA do is talk to us and tell us how they are coming up with these rate increases.

The American people pay the salary of the people at FEMA, and my people and your people, Mr. President, deserve to know how their policies are being priced.

And, Mr. President—Mr. President Biden, if you are listening—I hope you will pick up the phone and you will call

your FEMA Director, for whom I have great respect—I don't hate anybody—but I hope the President will call the FEMA Director here and ask him what planet he just parachuted in from and what is he thinking, raising these kinds of prices without telling the American people why.

#### NOMINATION OF DANA M. DOUGLAS

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Judge Dana Douglas to the U.S. Court of Appeals for the Fifth Circuit.

Born and raised in New Orleans, Judge Douglas' passion for the law and public service was inspired by her family's background in law enforcement. In particular, her mother, Ms. Ida Woodfork, served in the Orleans Parish Sheriff's Office for 30 years, and her uncle, Mr. Warren Woodfork, Sr., was the first Black superintendent of the New Orleans Police Department.

Judge Douglas earned her B.A. in social work and Black world studies at Miami University and received her J.D. from Loyola University School of Law. From there, she clerked for Judge Ivan L.R. Lemelle on the U.S. District Court for the Eastern District of Louisiana.

Judge Douglas then spent 18 years litigating, trying four cases to verdict or judgment and handling several administrative matters before State agencies. Although she worked in private practice, she also served the community for 9 years as a commissioner and then vice president of the New Orleans Civil Service Commission, a quasi-judicial body regulating the city's civil service.

Since 2019, Judge Douglas has served as a magistrate judge for the Eastern District of Louisiana. In that time, she has authored 111 reports and recommendations, all of which have been adopted in whole or in part by the district court.

Judge Douglas enjoys the strong support of Senators KENNEDY and CASSIDY, and the American Bar Association unanimously rated her as "qualified" to serve on the Fifth Circuit.

If confirmed, Judge Douglas will be the first woman of color to serve on the Fifth Circuit.

Judge Douglas' experience, qualifications, and temperament will be assets on the Fifth Circuit, and I urge my colleagues to join me in supporting her nomination.

#### VOTE ON DOUGLAS NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Douglas nomination?

Ms. SMITH. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. HICKENLOOPER) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator

from Texas (Mr. CRUZ), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from Alaska (Mr. SULLIVAN).

The result was announced—yeas 65, nays 31, as follows:

[Rollcall Vote No. 388 Ex.]

#### YEAS—65

Baldwin	Grassley	Romney
Bennet	Hassan	Rosen
Blumenthal	Heinrich	Rounds
Blunt	Hirono	Sanders
Booker	Kaine	Schatz
Brown	Kelly	Schumer
Burr	Kennedy	Shaheen
Cantwell	King	Sinema
Capito	Klobuchar	Smith
Cardin	Leahy	Stabenow
Carper	Lujan	Tester
Casey	Manchin	Tillis
Cassidy	Markey	Toomey
Collins	Menendez	Van Hollen
Coons	Merkley	Warner
Cornyn	Murphy	Warnock
Cortez Masto	Murray	Warren
Duckworth	Ossoff	Whitehouse
Durbin	Padilla	Wicker
Feinstein	Peters	Wyden
Gillibrand	Portman	Young
Graham	Reed	

#### NAYS—31

Barrasso	Hawley	Paul
Blackburn	Hoeben	Risch
Boozman	Hyde-Smith	Rubio
Braun	Inhofe	Sasse
Cotton	Johnson	Scott (FL)
Cramer	Lankford	Scott (SC)
Crapo	Lee	Shelby
Daines	Lummis	Thune
Ernst	Marshall	Tuberville
Fischer	McConnell	
Hagerty	Moran	

#### NOT VOTING—4

Cruz	Murkowski
Hickenlooper	Sullivan

The nomination was confirmed.

The PRESIDING OFFICER (Ms. SINEMA). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:58 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. MURPHY).

#### EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Jay Curtis Shambaugh, of Maryland, to be an Under Secretary of the Treasury.

#### VOTE ON SHAMBAUGH NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Shambaugh nomination?

Mr. CARDIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.